

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

BILLY RICE,

Petitioner,

CIVIL CASE NO. 08-11187

v.

CINDY CURTIN,

HONORABLE STEPHEN J. MURPHY, III

Respondent.

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**ORDER ACCEPTING REPORT AND RECOMMENDATION**

Before the Court are Petitioner's petition for writ of habeas corpus and the Report and Recommendation of the Honorable Charles E. Binder, United States Magistrate Judge. The magistrate judge recommends that the Court deny the petition for writ of habeas corpus.

The magistrate judge served the Report and Recommendation on all parties on January 29, 2009 and notified the parties that any objections must be filed within ten days of service. Accordingly, any objections should have been filed by approximately February 16, 2009. See Fed. R. Civ. P. 6; E.D. Mich. L.R. 6.1. No objections to the Report and Recommendation have been filed. Consequently, the Court does not need to conduct a review and will accept and adopt the Report and Recommendation. See *Thomas v. Arn*, 474 U.S. 140, 150 (1985).

**ACCORDINGLY, IT IS HEREBY ORDERED** that the Report and Recommendation [docket entry #12] is **ACCEPTED** and **ADOPTED** as the opinion of this Court.

**IT IS FURTHER ORDERED** that Petitioner's petition for writ of habeas corpus

[docket entry #1] is **DENIED**.

**SO ORDERED.**

s/Stephen J. Murphy, III  
STEPHEN J. MURPHY, III  
United States District Judge

Dated: March 5, 2009

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on March 5, 2009, by electronic and/or ordinary mail.

s/Alissa Greer  
Case Manager